

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AKER BIOMARINE ANTARTIC AS,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-35-LPS-CJB
)	
OLYMPIC HOLDING AS, RIMFROST AS,)	
EMERALD FISHERIES AS, RIMFROST)	
USA, LLC, AVOCA INC., and BIORIGINAL)	
FOOD & SCIENCE CORP.,)	
)	
Defendants.)	

JOINT STATUS REPORT

Pursuant to the Court’s Oral Order of August 21, 2018, Plaintiff Aker BioMarine Antarctic AS (“AKBM”) and Defendants Olympic Holding AS; Rimfrost AS; Emerald Fisheries AS; Rimfrost USA, LLC; and Bioriginal Food & Science Corp. (“Olympic”) jointly submit this status report.

As stated in the parties’ prior Status Report, the PTAB issued Final Written Decisions in IPR2017-00745 and IPR2017-00746 on August 10, 2018, finding all claims of each of the patents-in-suit unpatentable. (D.I. 51). AKBM subsequently appealed these decisions to the Court of Appeals for the Federal Circuit. On October 3, 2019, the Federal Circuit affirmed both Final Written Decisions. *Aker Biomarine Antarctic AS v. Rimfrost AS*, Nos. 2019-1078, 2019-1097 (attached as Exhibit A).

As a result of the Federal Circuit’s ruling, the U.S. Patent and Trademark Office will cancel all claims of the patents-in-suit. Therefore, the parties are simultaneously submitting a stipulation of dismissal resolving this action.

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Dated: October 11, 2019